

Dec 14, 2004 6:09PM ZPS GROUP LLC DEC 14 2004

REC'D 6:09PM 12-14-04

# BEST AVAILABLE COPY

Patent  
Attorney Docket No. GEMS8081.066

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Emeric et al.  
Serial No. : 09/681,467  
Filed : June 12, 2001  
For : Method and System to Regulate Cooling of a Medical Imaging  
Group Art No. : 2859  
Examiner : Shrivastav, B.

### CERTIFICATION UNDER 37 CFR 1.8(a) and 1.10

I hereby certify that, on the date shown below, this correspondence is being:

Mailing

deposited with the US Postal Service in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231  
37 CFR 1.8(a) 37 CFR 1.10  
 with sufficient postage as first class mail  As "Express Mail Post Office to Addressee" Mailing Label No.  
Transmission  
 transmitted by facsimile to Fax No.: 703-872-9306 addressed to Examiner Shrivastav at the Patent and Trademark Office.

Date: 12-14-04

Jan A. Jordan  
Signature

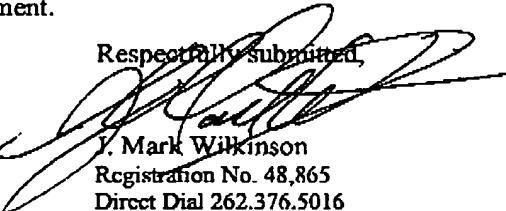
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

### SECOND PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Dear Sir:

Further to Applicant's Petition to Withdraw Holding of Abandonment filed via facsimile on January 6, 2004, Applicant hereby again petitions for withdrawal of the Examiner's holding of abandonment for the above-captioned patent application. Applicant has not received any decision of the Petition filed January 6, 2004. Additionally, PAIR does not indicate that the Petition has been received. The reasons for this Petition are outlined in the original and attached January 6, 2004 Petition to Withdraw Holding of Abandonment.

Respectfully submitted,

  
J. Mark Wilkinson  
Registration No. 48,865  
Direct Dial 262.376.5016  
jmw@zpspatents.com

Dated: December 14, 2004

Ziolkowski Patent Solutions Group, LLC  
14135 North Cedarburg Road  
Mequon, WI 53097-1416  
262-376-5170

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I hereby certify that, on the date shown below, this correspondence is being:

### Transmission

■ Transmitted by facsimile to Fax No.: 703-872-9306 addressed to Examiner Shrivastav at the Patent and Trademark Office.

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Docketed by: msj  
Date: 1/20/04

**PETITION TO WITHDRAW HOLDING OF ABANDONMENT**

Dear Sir:

Responsive to the Notice of Abandonment mailed December 30, 2003, Applicant hereby petitions for withdrawal of the Examiner's holding of abandonment. The Notice of December 30, 2003 states that the present application is abandoned "in view of [...] Applicant's failure to timely file a proper reply to the Office letter mailed on 28 April 2003." Applicant contends, however, that a proper reply to the Office Action of April 28, 2003 was, in fact, filed and, therefore, the holding of abandonment is in error.

Enclosed please find a copy of the Amendment/Response that was filed with the USPTO on June 30, 2003 by facsimile transmission. A copy of the facsimile transmission confirmation

Emeric et al.

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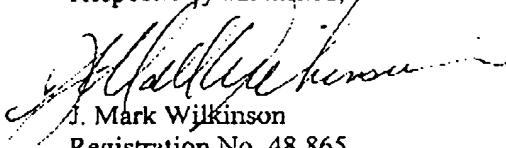
S/N 09/681,467

evidencing complete transmission of the reply to the USPTO is also enclosed. As such, Applicant respectfully believes that a timely and complete reply was filed in response to the Office Action mailed April 28, 2003. Accordingly, Applicant request that the holding of abandonment be withdrawn.

By rule, a fee is not required to be submitted with this Petition.

Applicant hereby requests that any questions regarding this matter be directed to the undersigned.

Respectfully submitted,



J. Mark Wilkinson  
Registration No. 48,865  
Direct Dial 262.376.5016  
jmw@zpspatents.com

Dated: January 6, 2004  
Attorney Docket No.: GEMS8081.066

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